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*Counsel for Debtor/Plaintiff,  
Collezione Europa U.S.A., Inc.*

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

In re:	Case No. 08-13599 (MS)
COLLEZIONE EUROPA U.S.A., INC.,	Chapter 11
Debtor.	
COLLEZIONE EUROPA U.S.A., INC.,	
Plaintiff,	Adv. Pro. No. 09-1102 (MS)
v.	
SIMON TUSHA,	
Defendant.	

**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

**PLEASE TAKE NOTICE** that a demand was made by debtor/plaintiff, Collezione Europa U.S.A., Inc. ("Plaintiff"), upon Simon Tusha ("Defendant") for the turnover of funds.

**PLEASE TAKE FURTHER NOTICE** that on or about January 15, 2009, Plaintiff filed an Adversary Complaint against the Defendant in the matter captioned Collezione Europa U.S.A., Inc. v. Simon Tusha, Adv. Pro. No. 09-1102 (MS), seeking turnover of funds (the "Complaint").

**PLEASE TAKE FURTHER NOTICE** that each party shall bear its own costs and expenses in connection with this matter, including legal fees and expenses.

**PLEASE TAKE FURTHER NOTICE** that upon the filing of this Notice, this matter shall be dismissed without prejudice.

**TRENK, DIPASQUALE, WEBSTER,  
DELLA FERA & SODONO, P.C.**  
Attorneys for Collezione Europa U.S.A., Inc.,

By: /s/ Thomas M. Walsh  
Thomas M. Walsh

Dated: April 23, 2009

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